

MENASHA HEALTH DEPARTMENT - RESTAURANT / RETAIL FOOD SERVICE INSPECTION REPORT

Business Name Third Street Market		Business Address 403 Third Street		County Winnebago	ID # 11-24062
Legal Licensee Foodmen 2, Inc.		Mailing Address (Licensee) 1220 S. Webster Green Bay		Telephone # (920) 558-4477	
Date of inspection 1/9/15	Bare Hand Contact Plan in Place <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Type of Establishment <input type="checkbox"/> Restaurant <input checked="" type="checkbox"/> Retail <input type="checkbox"/> School <input type="checkbox"/> Liq lic		Is operator Certified <input checked="" type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> pending <input type="checkbox"/> N/A	
Inspection Type <input type="checkbox"/> pre-inspection <input checked="" type="checkbox"/> routine inspection <input type="checkbox"/> Re-inspection <input type="checkbox"/> Complaint <input type="checkbox"/> Downtime <input type="checkbox"/> Non inspection visit		Action Taken <input checked="" type="checkbox"/> Operational <input type="checkbox"/> Conditional Permit 30 days <input type="checkbox"/> Withhold Permit <input type="checkbox"/> License suspended <input type="checkbox"/> License revoked <input type="checkbox"/> Other			
Person in Charge Mike Novak		CFM # and expiration CFM # KBRN-985MGV expiration date 4/23/18			
FOODBORNE ILLNESS RISK FACTORS					
Circle designated compliance status for each item IN -in compliance OUT – out of compliance N/O – not observed N/A – not applicable			Mark an X in appropriate box for COS and/or R COS – corrected on site during inspection R - repeat violation		

COMPLIANCE STATUS			COS	R
DEMONSTRATION OF KNOWLEDGE				
1A	IN	Certified food manager, duties	<input type="checkbox"/>	<input type="checkbox"/>
1B	IN	Person in charge, ID knowledgeable, duties and responsibilities	<input type="checkbox"/>	<input type="checkbox"/>
EMPLOYEE HEALTH				
2	IN	Management awareness, policy present	<input type="checkbox"/>	<input type="checkbox"/>
3	IN	Proper use of reporting, restriction and exclusion	<input type="checkbox"/>	<input type="checkbox"/>
GOOD HYGENIC PRATICES				
4	IN	Proper eating, tasting, drinking	<input type="checkbox"/>	<input type="checkbox"/>
5	IN	No discharge from eyes, nose and mouth	<input type="checkbox"/>	<input type="checkbox"/>
PREVENTING CONTAMINATION FROM HANDS				
6	IN	Hands cleaned and properly washed	<input type="checkbox"/>	<input type="checkbox"/>
7	OUT	No bare hand contact or using approved plan	<input type="checkbox"/>	<input type="checkbox"/>
8	IN	Adequate hand washing facilities supplied and accessible	<input type="checkbox"/>	<input type="checkbox"/>
APPROVED SOURCE				
9	IN	Food obtained from approved source	<input type="checkbox"/>	<input type="checkbox"/>
10	NO	Food received at proper temperature	<input type="checkbox"/>	<input type="checkbox"/>
11	IN	Food in good condition, safe, unadulterated	<input type="checkbox"/>	<input type="checkbox"/>
12	NO	Records available, shell stock tags, parasite destruction	<input type="checkbox"/>	<input type="checkbox"/>
PROTECTION FROM CONTAMINATION				
13	OUT	Food separated and protected	<input type="checkbox"/>	<input type="checkbox"/>
14	IN	Food contact surfaces cleaned and sanitized	<input type="checkbox"/>	<input type="checkbox"/>
15	IN	Proper disposition of returned, previously served, reconditioned & unsafe food	<input type="checkbox"/>	<input type="checkbox"/>

COMPLIANCE STATUS			COS	R
POTENTIALLY HAZARDOUS FOOD TEMPERATURE				
16	IN	Proper cooking time and temperature	<input type="checkbox"/>	<input type="checkbox"/>
17	NO	Proper re-heating procedures for hot holding	<input type="checkbox"/>	<input type="checkbox"/>
18	NO	Proper cooling time and temperature	<input type="checkbox"/>	<input type="checkbox"/>
19	IN	Proper hot holding temperatures	<input type="checkbox"/>	<input type="checkbox"/>
20	OUT	Proper cold holding temperatures	<input type="checkbox"/>	<input type="checkbox"/>
21	IN	Proper date marking and disposition	<input type="checkbox"/>	<input type="checkbox"/>
22	NA	Time as a public health control; procedures and record	<input type="checkbox"/>	<input type="checkbox"/>
CONSUMER ADVISORY				
23	IN	Consumer advisory supplied	<input type="checkbox"/>	<input type="checkbox"/>
HIGHLY SUSEPTABLE POPULATIONS				
24	IN	Pasteurized foods used; prohibited foods not offered	<input type="checkbox"/>	<input type="checkbox"/>
CHEMICAL				
25	NA	Food additives approved and properly use	<input type="checkbox"/>	<input type="checkbox"/>
26	IN	Toxic substances properly identified, stored, used	<input checked="" type="checkbox"/>	<input type="checkbox"/>
CONFORMANCE WITH APPROVED PROCEDURES				
27	NA	Compliance with variance, specialized process, HACCP plan	<input type="checkbox"/>	<input type="checkbox"/>
Risk Factors: are important practices or procedures identified as the most prevalent contributing factors of foodborne illness or injury. Public Health interventions are control measures to prevent foodborne illness or injury.				
Risk factor violations should be corrected on site during the inspection unless there is some reason that correction cannot be immediately made.				

GOOD RETAIL PRACTICES									
Good retail practices are preventative measures to control the addition of pathogens, chemicals, and physical objects into food. Mark an X in box if item is not in compliance. Mark an X in appropriate box for COS/R. COS – corrected on site during inspection R - repeat violation									
SAFE FOOD AND WATER			COS	R	PROPER USE OF UTENSILS				
28	NA	Pasteurized eggs used where required	<input type="checkbox"/>	<input type="checkbox"/>	41	IN	In use utensils properly stored	<input type="checkbox"/>	<input type="checkbox"/>
29	IN	Water and ice from approved source	<input type="checkbox"/>	<input type="checkbox"/>	42	IN	Utensils equipment and linen properly stored and used	<input type="checkbox"/>	<input type="checkbox"/>
30	NA	Variance obtained for specialized processing methods	<input type="checkbox"/>	<input type="checkbox"/>	43	IN	Single-use and Single service articles properly stored and used	<input type="checkbox"/>	<input type="checkbox"/>
FOOD TEMPERATURE CONTROL					44	IN	Gloves properly used	<input type="checkbox"/>	<input type="checkbox"/>
31	IN	Proper cooling methods used; adequate equip. for temperature control.	<input type="checkbox"/>	<input type="checkbox"/>	UTENSILS AND EQUIPMENT				
32	IN	Plant food properly cooked for hot holding	<input type="checkbox"/>	<input type="checkbox"/>	45	IN	Food and nonfood contact surfaces; cleanable, properly designed, constructed and used	<input type="checkbox"/>	<input type="checkbox"/>
33	NO	Approved thawing methods used.	<input type="checkbox"/>	<input type="checkbox"/>	46	OUT	Warewash facilities; installed, maintained, and used	<input type="checkbox"/>	<input type="checkbox"/>
34	IN	Thermometers provided and accurate	<input type="checkbox"/>	<input type="checkbox"/>	47	IN	Non-food contact surfaces clean	<input type="checkbox"/>	<input type="checkbox"/>
FOOD PROTECTION					PHYSICAL FACILITIES				
35	OUT	Food properly labeled original container	<input type="checkbox"/>	<input type="checkbox"/>	48	IN	Hot and cold water available, under pressure	<input type="checkbox"/>	<input type="checkbox"/>
36	IN	Pests and animals not present, no unauthorized persons	<input type="checkbox"/>	<input type="checkbox"/>	49	IN	Plumbing installed; proper backflow devices	<input type="checkbox"/>	<input type="checkbox"/>
37	IN	Contamination prevented during food preparation storage and display	<input type="checkbox"/>	<input type="checkbox"/>	50	IN	Sewage and wastewater properly disposed	<input type="checkbox"/>	<input type="checkbox"/>
38	IN	Personal cleanliness, jewelry	<input type="checkbox"/>	<input type="checkbox"/>	51	IN	Toilet facilities, properly constructed, supplied and clean	<input type="checkbox"/>	<input type="checkbox"/>
39	IN	Wiping cloths; properly used and stored	<input type="checkbox"/>	<input type="checkbox"/>	52	IN	Garbage and refuse, properly disposed facilities and maintained	<input type="checkbox"/>	<input type="checkbox"/>
40	IN	Plant food cooking for hot hold Washing all fruits and vegetables	<input type="checkbox"/>	<input type="checkbox"/>	53	IN	Physical facilities installed maintained and clean	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	54	IN	Adequate ventilation and lighting, designed and used.	<input type="checkbox"/>	<input type="checkbox"/>

Menu Review: Review Conducted <input type="checkbox"/> yes <input type="checkbox"/> no - New menu items <input type="checkbox"/> Yes <input type="checkbox"/> No New items New processes: Does new process require variance <input type="checkbox"/> yes <input type="checkbox"/> no What interim step was taken pending variance Addition to Consumer Advisory <input type="checkbox"/> yes <input type="checkbox"/> no New menu item which requires consumer advisory Concerns / Corrections Suggested:

TEMPERATURES – Refrigeration/hot hold/cook					
Item / Location	Temp	Item / Location	Temp	Item / Location	Temp
deli display cole slaw	37°F	deli display cheese cooler	45-52°F	upright refrigerator meat display pork	F °
hot hold rot. chicken	167°F	hot hold soup self serv	158°F	hot hold deli display fried chicken	153°F
Cook chicken	178°F	Cook --	F °	Cook --	F °
WAREWASHING INFORMATION					
Machine Name	Sanitization Method	Thermo Label confirmed	PPM/ temp	Sanitizer Name / Approved Y/N	Sanitizer Type
	manual sanitize	<input type="checkbox"/> yes <input type="checkbox"/> No	other ppm / 300+ppm °F rinse	Ajax <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	QUAT

CDC Risk Code Factor Abbreviations and Violation by Category Numbers Table

(Use this table to group CDC risk factor listed below with violation from page 1)

Unsafe Sources (US)	Inadequate Cooking (IC)	Improper Hold (IH)	Cross Contamination (CC)	Personal Hygiene (PH)	Other CDC Factors (O)
9	16	18	13	3	1A
10	17	19	14	4	1B
11		20	15	5	2
12		21		6	23
		22		7	24
				8	25
					26

For each violation sited, use above table and record CDC Risk Code Factor abbreviation (such as “US” or “IH”), violation number, list from the Wisconsin Food Code (WFC) the reference number that refers to the area in violation.

Record CDC risk code abbreviation, violation # from 1st page, violation description, Food Code reference, corrective action, and score.

CDC Code	Violation number P- Priority Pf- Priority Foundation	Description of violation, WFC Reference Number including code reference text / Corrective Action Required – Note date(s) of repeat violations on previous inspections.	Compliance Date/ Corrected on site (COS)
PH	7 <input checked="" type="checkbox"/> P <input type="checkbox"/> Pf <input type="checkbox"/> C	<p>Bakery</p> <p>Bakery employee noted placing buns in bags with bare hands. .</p> <p>WISCONSIN FOOD CODE REFERENCE</p> <p>3–301.11 Preventing Contamination from Hands.</p> <p>(A) FOOD EMPLOYEES shall wash their hands as specified under § 2–301.12.</p> <p>(B) <i>Except when washing fruits and vegetables as specified under § 3–302.15 or as specified in ¶ (D) of this section,</i> FOOD EMPLOYEES may not contact exposed, READY–TO–EAT FOOD with their bare hands and shall use suitable UTENSILS such as deli tissue, spatulas, tongs, single–use gloves, or dispensing EQUIPMENT. P</p> <p>CORRECTIVE ACTION</p> <p>Ready to eat foods may not be handled with bare hands. Use of suitable utensils or single use disposable gloves to handle ready to eat foods.</p> <p>Please reinforce this requirement with all food employees in all departments.</p>	COS

CC	13 <input checked="" type="checkbox"/> P <input type="checkbox"/> Pf <input type="checkbox"/> C	Packaged raw chicken was noted above pork roast in display cooler. Barrier was not sufficient to segregate. . WISCONSIN FOOD CODE REFERENCE 3-302.11 Packaged and Unpackaged Food — Separation, Packaging, and Segregation. (A) FOOD shall be protected from cross contamination by: (2) <i>Except when combined as ingredients</i> , separating types of raw animal FOODS from each other such as beef, FISH, lamb, pork, and POULTRY during storage, preparation, holding, and display by: (a) Using separate EQUIPMENT for each type, P or (b) Arranging each type of FOOD in EQUIPMENT so that cross contamination of one type with another is prevented, P and (c) Preparing each type of FOOD at different times or in separate areas; P CORRECTIVE ACTION Display must be arranged so that different species are properly segregated. Raw animal products should be segregated by section and container. if stored vertically product should be stored with lower cook temp product placed above higher cook temp product. COS - pork moved to another portion of the cooler	COS
IH	20 <input checked="" type="checkbox"/> P <input type="checkbox"/> Pf <input type="checkbox"/> C	Packaged cheese were measured with temperatures ranging from 45-52F. PIC stated that cooler temperatures are checked daily in the morning. . WISCONSIN FOOD CODE REFERENCE 3-501.16 Potentially Hazardous Food (Time/Temperature Control for Safety Food), Hot and Cold Holding. (A) <i>Except during preparation, cooking, or cooling, or when time is used as the public health control as specified under § 3-501.19, and except as specified under ¶ (B) and in ¶ (C) of this section</i> , POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) shall be maintained: (2) At 5°C (41°F) or less. P CORRECTIVE ACTION Product removed from cooler due to temperatures in excess of 41F. Unit ordered serviced prior to returning to service. Unit should be monitored at least once daily to ensure foods are maintained at the proper temperature (41F or less). COS - All product removed from island cooler - unit serviced and temperature adjusted.	COS

Use this section for Good Retail Practice (GRP) Violations

Violation #	Description of violation, WFC Reference Number / Corrective Action Required	Compliance Date/ Corrected during inspection
35 <input type="checkbox"/> P <input checked="" type="checkbox"/> Pf <input type="checkbox"/> C	Bakery labels for items packaged within the bakery department do not consistently declare common allergens per code required methods. WISCONSIN FOOD CODE REFERENCE 3-602.11 Food Labels. (A) FOOD PACKAGED in a FOOD ESTABLISHMENT, shall be labeled as specified in LAW, including 21 CFR 101 — Food labeling, and 9 CFR 317 — Labeling, marking devices, and containers. (B) Label information shall include: (1) The common name of the FOOD, or absent a common name, an adequately descriptive identity statement; (2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the FOOD;	

	<p>(3) An accurate declaration of the quantity of contents; (4) The name and place of business of the manufacturer, packer, or distributor; and (5) The name of the FOOD source for each MAJOR FOOD ALLERGEN contained in the FOOD unless the FOOD source is already part of the common or usual name of the respective ingredient (Effective January 1, 2006). Pf</p> <p>CORRECTIVE ACTION Major Food Allergen must be clearly declared by one of the methods provided. It is recommended that if peanuts and tree nuts are processed that a common statement stating that product may include trace quantities of these major food allergens.</p>	
35 <input type="checkbox"/> P <input checked="" type="checkbox"/> Pf <input type="checkbox"/> C	<p>Meat Department</p> <p>Ingredients label required for additional spice mixture on the pre-packaged chicken breast packages using the "Smokehouse BBQ" other marinated chicken breast packages did contain the correct supplemental ingredient label. WISCONSIN FOOD CODE REFERENCE 3-602.11 Food Labels. (A) FOOD PACKAGED in a FOOD ESTABLISHMENT, shall be labeled as specified in LAW, including 21 CFR 101 — Food labeling, and 9 CFR 317 — Labeling, marking devices, and containers. (B) Label information shall include: (1) The common name of the FOOD, or absent a common name, an adequately descriptive identity statement; (2) If made from two or more ingredients, a list of ingredients in descending order of predominance by weight, including a declaration of artificial color or flavor and chemical preservatives, if contained in the FOOD;</p> <p>CORRECTIVE ACTION Meat Department instructed to post ingredients a point of sale of packaged product. Labels for this spice marinade should be obtained/generated and applied to packages as with the other varieties.</p>	14 days for permanent labels. Temporary label 48 hours.
46 <input type="checkbox"/> P <input type="checkbox"/> Pf <input checked="" type="checkbox"/> C	<p>Mats were noted used on the clean drain board and drying rack of the ware wash sinks. Mats were noted holding water and not draining. Clean utensils noted placed to dry on these mats. WISCONSIN FOOD CODE REFERENCE 4-204.119 Warewashing Sinks and Drainboards, Self-Draining. Sinks and drainboards of WAREWASHING sinks and machines shall be self-draining.</p> <p>CORRECTIVE ACTION Mats were removed to allow for self draining surface for clean utensils to be dried. Recommend use of wire racks or other surface which allows water to drain from cleaned utensils.</p>	COS

Long term controls / approvals / special processes in place

--

Critical Violations which require greater than one re-inspection and/or repeated CDC Risk Factors violation(s) which are cited on 3 consecutive inspections shall result in the issuance of a re-inspection fee. Re-inspection fees are set based on the complexity of the establishment as follows:

- **Complex restaurants** \$250.00
- **Moderate restaurants** \$200.00
- **Simple restaurants** \$150.00
- **Retail >1 M** \$300.00
- **Retail 25K-1M** \$250.00
- **Retail remaining** \$200.00

Violations must be corrected by the compliance date, unless some arrangement has been made with Menasha Health Department. Re-inspection fees will be assessed to all CDC Risk Factor violations requiring more than (1) re-inspection or if the same CDC Risk Factor violation is cited on 3 consecutive inspections. Re-inspection fees

will be billed to the owner of the establishment. Failure to pay re-inspection fee shall result in the following potential legal actions:

- ***Temporary revocation of license***
- ***License will not be renewed pending payment***
- ***Enforcement conference with licensee or licensee representative which would require signed compliance agreement.***

Operators who wish to challenge the assessment of a re-inspection fee shall submit in writing circumstances and reason that they feel the re-inspection fee should not have been assessed. This statement must be submitted to the Public Health Director. The issue will then be addressed by the City of Menasha Board of Health. Any violations and /or enforcement shall be complied with pending appeal.

The City of Menasha posts all Health Department Inspection reports on the City of Menasha Web-Site.

Inspection Narrative and information on non-violation observations and/or suggestions:

Meat Cut room noted at 55F – Please reference the section cited below covering the required cleaning frequency for food equipment in this cut room.

4-602.11 Equipment Food-Contact Surfaces and Utensils.

(A) EQUIPMENT FOOD-CONTACT SURFACES and UTENSILS shall be cleaned:

(D) Surfaces of UTENSILS and EQUIPMENT contacting POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) may be cleaned less frequently than every 4 hours if:

(1) In storage, containers of POTENTIALLY HAZARDOUS FOOD (TIME/TEMPERATURE CONTROL FOR SAFETY FOOD) and their contents are maintained at temperatures specified under Chapter 3 and the containers are cleaned when they are empty;

(2) UTENSILS and EQUIPMENT are used to prepare FOOD in a refrigerated room or area that is maintained at one of the temperatures in the following chart and:

(a) The UTENSILS and EQUIPMENT are cleaned at the frequency in the following chart that corresponds to the temperature; and

>10.0°C – 12.8°C

(>50°F – 55°F) cleaning frequency - 10 hours

I understand and agree to comply with the corrections ordered in this report. I understand the failure to comply could result in legal action including loss of license.

PIC signature or authorized employee	Date	Sanitarian Signature Todd Drew, R.S.	Date

Food Safety Fact Sheets Attached:

<input type="checkbox"/> Employee Health	<input type="checkbox"/> Employee Reporting Agreement	<input type="checkbox"/> Personal Hygiene	<input type="checkbox"/> Bare hand contact
<input type="checkbox"/> Responsibilities of the PIC	<input type="checkbox"/> Disposable glove use	<input type="checkbox"/> Cross – Contamination	<input type="checkbox"/> Demonstration of Knowledge
<input type="checkbox"/> Cooling Procedures	<input type="checkbox"/> Thawing Procedures	<input type="checkbox"/> Active Managerial Control	<input type="checkbox"/> Certified Food Manager
<input type="checkbox"/> Consumer Advisory	<input type="checkbox"/> HACCP	<input type="checkbox"/> HACCP Hazard Analysis	<input type="checkbox"/> Serving Safe Food
<input type="checkbox"/> Pre-Inspection	<input type="checkbox"/> Time as a Health Control	<input type="checkbox"/> Allergens	<input type="checkbox"/> Thermometer Calibration
<input type="checkbox"/> Catering	<input type="checkbox"/> Cooking Temperatures	<input type="checkbox"/> Microwave Cooking	<input type="checkbox"/> Interpreting the Inspection Report
<input type="checkbox"/> Variance / HACCP	<input type="checkbox"/> Frozen Foods	<input type="checkbox"/> Receiving	<input type="checkbox"/> Chemical / Physical Contamination
<input type="checkbox"/> Common Foodborne Illnesses	<input type="checkbox"/> Outdoor Events	<input type="checkbox"/> Serving Safe Food	<input type="checkbox"/> Effective Sanitizing
<input type="checkbox"/> Organizing Coolers	<input type="checkbox"/> Date Marking		